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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARK CANLAS CUYUGAN,

Defendant.

2:19-CR-300-JCM-EJY

**Preliminary Order of Forfeiture**

This Court finds Mark Canlas Cuyugan pled guilty to Count 1 of a 16-Count Criminal Indictment charging him with conspiracy to commit bank fraud in violation of 18 U.S.C. §§ 1344 and 1349. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds Mark Canlas Cuyugan agreed to the imposition of the in personam criminal forfeiture money judgment of \$28,398.87 set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

The in personam criminal forfeiture money judgment is (1) any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 1344, or 18 U.S.C. § 1349, conspiracy to commit such offense and (2) any property constituting, or derived from, proceeds obtained directly or indirectly, as the result of a violation of 18 U.S.C. § 1344, affecting a financial institution, or 18 U.S.C. § 1349, conspiracy to violate, and is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. § 982(a)(2)(A); and 21 U.S.C. § 853(p).

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1 This Court finds that Mark Canlas Cuyugan shall pay an in personam criminal  
2 forfeiture money judgment of \$28,398.87 to the United States of America, not to be held  
3 jointly and severally liable with any codefendants and the collected money judgment.  
4 amount between the codefendants is not to exceed \$1,407,183.61 pursuant to Fed. R. Crim.  
5 P. 32.2(b)(1) and (b)(2); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. §  
6 982(a)(2)(A); and 21 U.S.C. § 853(p).

7 This Court finds that the United States of America may amend this order at any time  
8 to add subsequently located property or substitute property to the forfeiture order pursuant  
9 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

10 The in personam criminal forfeiture money judgment complies with *Honeycutt v.*  
11 *United States*, 137 S. Ct. 1626 (2017).

12 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
13 the United States of America recover from Mark Canlas Cuyugan an in personam criminal  
14 forfeiture money judgment of \$28,398.87.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
16 copies of this Order to all counsel of record and three certified copies to the United States  
17 Attorney's Office, Attention Asset Forfeiture Unit.

18 DATED Aug. 7, 2020, 2020.

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22 JAMES C. MAHAN  
23 UNITED STATES DISTRICT JUDGE  
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